

Access to Justice for Older Persons in the United States

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Access to Justice Principles

- Promote Accessibility eliminate barriers that prevent people from understanding and exercising their rights.
- Ensure Fairness deliver fair and just outcomes for all parties, including those facing financial and other disadvantages.
- Increase Efficiency deliver fair and just outcomes effectively, without waste or duplication.

US Department of Justice



Fig. 1: An Elder Law Paradigm

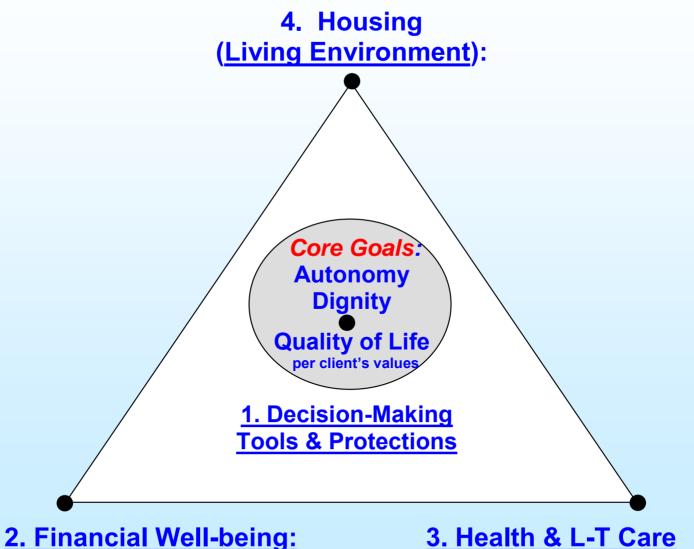
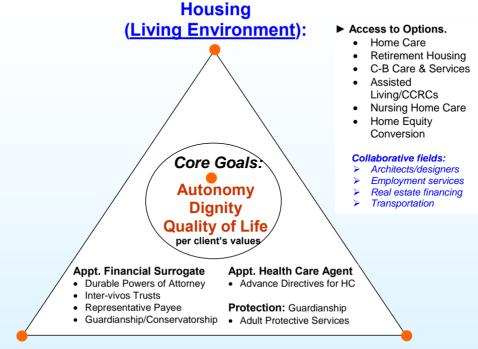




Fig. 2: Elder Law Paradigm



Financial Well-being:

- ► ADEA/Employment issues
- ▶ Pension & Other Retirement Benefits
- ▶ Public Benefits:
 - Social Security/Pensions
 - Medicare & Medicare Rx benefit
 - Medicaid Planning
- Veterans Benefits, etc.
 Special Needs Planning
- ► Home Equity Conversion
- ► Estate Planning.
 - Wills & Trusts
 - Property Transfers
 - Medicaid Planning
 - Special Needs Trusts

Collaborative Fields:

- > Financial planners/Brokers
- > Insurance agents
- Banks & Trust Companies

Health & LTC:

► Private Benefits:

- Employer based insurance
- Long-Term Care Insurance

▶ Public Benefits:

- Medicare (& Medigap)
- Medicaid
- Veterans
- Other

Collaborative Fields:

- ➤ Health Care
- Social Work/Psychology
- ➢ Gerontology
- > Insurance
- > Government administration



Examples of Access to Justice Challenges

- Civil Legal Services
- Guardianship representation
- Protection from Elder Abuse/Exploitation
- Employment discrimination
- III-equipped Courts
- III-equipped prisons
- Voting in long-term care settings